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28 June 2000

RECEIVED  
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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

Re: *Notice of Ex Parte Communication: OT Docket No. 99-231*

Dear Ms. Salas:

On 27 June 2000, Jon Rubinstein, Cathy Hutchinson Foster, and Josh Tenuta of Apple Computer, Inc., and undersigned counsel, held meetings in the above-noted matter with: (a) Chairman Kennard and his advisor Clint Odom, and Dale Hatfield and Karen Rackley of OET; and (b) Commissioner Powell and his advisors Peter Tenhula and Paul Jackson. In these meetings, Apple made the following points.

- (1) Apple is a consumer products company that does not manufacture RF equipment. Rather, it purchases RF equipment for use in its consumer products.
- (2) Last summer Apple unveiled its "Airport" products which allow its computers high-speed wireless connectivity to the Internet at low prices. The Airport product is based on the IEEE 802.11(b) standard. Since then, Apple has sold approximately three million computers for use in schools and at home with wireless equipment and software already installed. Apple's competitors are also beginning to ship such products.
- (3) The HomeRF proposal to modify the Part 15 rules would, if adopted, permit unacceptable interference to Apple's Airport products. It would, thus, undermine the substantial investment made both by Apple and its consumers in these products.

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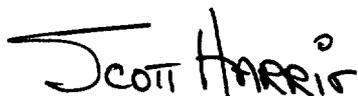
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- (4) FCC precedent demonstrates that, when considering rules changes, the Commission routinely takes into consideration interference caused to Part 15 devices that comply with current rules.
- (5) Indeed, just four years ago, the Commission rejected an almost identical proposal after it concluded that wideband frequency-hopping devices in the 2.4GHz band would cause “detrimental” interference to other “narrowband and wideband systems operating in these bands.”
- (6) Moreover, adoption of a proposal that would cause such interference to advanced Part 15 devices that comply with existing rules would have the effect of drying up future investment in unlicensed communications technology. This too would do great harm to consumers.
- (7) Apple, with great reluctance, accepts the WECA compromise proposal, submitted in this proceeding on April 10<sup>th</sup>, as a way to allow the HomeRF proponents to accomplish some of their goals without causing harm to consumers.

Respectfully submitted,

A handwritten signature in black ink that reads "SCOTT HARRIS". The signature is written in a cursive, slightly stylized font with a large initial 'S'.

Scott Blake Harris

cc: Chairman William Kennard  
Clint Odom  
Dale Hatfield  
Karen Rackley  
Commissioner Michael Powell  
Peter Tenhula  
Paul Jackson